

AFFIDAVIT OF CLAIM

146328

STATE OF NEW YORK)
) SS
 COUNTY OF WESTCHESTER)

RE: Cavalry SPV I, LLC, as assignee of HSBC Bank Nevada, N.A. \ Orchard Bank

vs.
 CONSTANCE R SMITH

I, Stephanie Cappelli, being duly sworn on oath, depose and say:

1. I am an agent and duly authorized representative for Plaintiff and am competent to testify to the matters set forth herein.
2. I am acting in the capacity of Legal Administrator for my employer Cavalry Portfolio Services LLC, a Delaware limited liability company. Cavalry Portfolio Services, LLC performs recovery services for its affiliate, Cavalry SPV I, LLC. In performing recovery services for Cavalry SPV I, LLC, I am familiar with and have access to the books and records of Cavalry SPV I, LLC and of Cavalry Portfolio Services, LLC.
3. That the defendant, CONSTANCE R SMITH, the account holder(s), opened an account with HSBC Bank Nevada, N.A. \ Orchard Bank on 8/13/2002, which account became delinquent and was charged off on 10/30/2010 (the "Account").
4. As of 9/10/2012, the balance due and owing by the account holder(s) on the account was \$2,350.63, which balance is comprised of \$2,122.77 of principal balance and \$227.86 + \$.00 + \$.00 of other charges. The principal balance continues to accrue interest as of the 09/10/2012 at a rate of 6%. The account holder(s) have been credited for all payments, set-offs or other credits due.
5. That the Account was purchased by Cavalry SPV I, LLC on or about 11/19/2010.
6. In the normal course of business, Cavalry Portfolio Services, LLC maintains computerized account records for account holders. Cavalry Portfolio Services, LLC maintains such records in the ordinary and routine course of business and is charged with the duty to accurately record any business act, condition or event onto the computer record maintained for the accounts, with the entries made at or very near the time of any such occurrence. I have reviewed the applicable computer record as it relates to the Account, and I make this Affidavit based upon information from that review, and if called as a witness, I could testify to the matters set forth herein based on that review.
7. In connection with the purchase of the account, HSBC Bank Nevada, N.A. \ Orchard Bank transferred copies of its electronic business records to Cavalry SPV I, LLC, which records were loaded into the computer system of Cavalry Portfolio Services, LLC and which are maintained in an electronic format.
8. Upon information and belief, no Defendant is an infant or incompetent or an active member of the United States Armed Forces who would be entitled to stay relief.
9. Under oath, I am authorized to make this affidavit for Plaintiff and I am informed and believe the above statements are true and correct.

Subscribed and sworn to before me on 9/25/2012



Legal Administrator


 Notary Public, State of New York
